



CRM-M-65559-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-65559-2024

Date of Decision: 26.03.2025

Sunil Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGHPresent:- Mr. Ashish Nagar, Advocate
for the petitioner

Mr. Davinder Bir Singh, Sr. DAG Punjab

KIRTI SINGH, J.(Oral)

Prayer in the present petition filed under Section 482 of BNSS, 2023 is for grant of anticipatory bail to the petitioner, in case FIR No.0026 dated 25.10.2024 registered under Section 67-B of IT Act and Section 15 of POCSO Act, 2012 at Police Station Cyber Crime, Ludhiana City, Punjab.

2. The following order was passed on 27.12.2024:-

“The petitioner prays for concession of pre-arrest bail in case FIR No.0026 dated 25.10.2024, registered under Section 67-B of IT Act and Section 15 of POCSO Act, 2012, at Police Station Cyber Crime, Ludhiana City, Punjab.

It is the case of prosecution that the petitioner was watching videos of child pornography in his mobile, which was found after extracting data from his mobile phone in the forensic lab.

Learned counsel for State of Punjab admits that petitioner does not have any criminal antecedents.

Notice of motion.

Mr. Manmeet Singh, Assistant Advocate General, Punjab,



accepts notice on behalf of the State.

Adjourned to 10.02.2025.

In the meantime, in the event of arrest, the petitioner shall be released on the interim bail subject to furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C .”

3. Learned State counsel on instructions from Inspector Satbir Singh submits that the petitioner has joined the investigation and is not required for any further investigation.

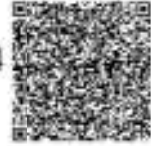
4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 27.12.2024 passed by this Court, is hereby made absolute.

5. This order should not be treated as "blanket" order. It will not be read granting the petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.

7. The accused/petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.

8. The accused/petitioner shall not leave India without prior permission of the Court.

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9. The accused/petitioner shall join the investigation as and when called by the police.
10. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) BNSS (erstwhile Section 439(2) of the Code of Criminal Procedure, 1973) to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.
11. Pending application(s), if any, also stands disposed of accordingly.

26.03.2025

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Whether speaking/reasoned
Whether reportable

**(KIRTI SINGH)
JUDGE**

Yes/No
Yes/No